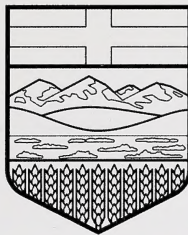


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REPORT OF THE
Alberta M.L.A. Policing Review Committee

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INTRODUCTION

Background

The Government of Alberta has a vision of a "safe society where justice prevails." Accordingly, Goal 15 of the *Government of Alberta's Business Plan 2001-2004* is that "Alberta will be a safe place to live and raise families." The *Municipal Government Act* states that one of the purposes of a municipality is "to develop and maintain safe and viable communities." The province and municipalities must work in partnership towards the vision of a "safe society where justice prevails."

The present *Police Act* came into effect in 1988. Over the following decade, a number of issues were raised that led to formation of a Legislation Review Committee composed of policing stakeholders and chaired by the Public Security Division. From this came a set of proposed amendments to the *Police Act* and regulations. Before proceeding with legislative changes, the Minister decided to expand the input to include the general public and to broaden the scope to look into strategic issues facing policing.

In October 2000, the Minister of Justice and Attorney General appointed an MLA committee to conduct a public review of policing in Alberta. This committee was chaired by Judy Gordon, MLA Lacombe-Stettler, with original members Heather Forsyth, MLA Calgary-Fish Creek, and Wayne Jacques, MLA Grande Prairie-Wapiti. Following the 2001 provincial election, the committee was reconstituted due to the appointment of Heather Forsyth as Solicitor General and the retirement of Wayne Jacques. Judy Gordon continued to chair the committee with new members Hector Goudreau, MLA Dunvegan, and Harvey Cenaiko, MLA Calgary-Buffalo.

The Review

The committee chose a three-pronged approach to the review:

- Solicit public and stakeholder submissions in response to a discussion paper.
- Review the findings of the "Police Strategic Vision" project.
- Consult with experts on issues arising from these submissions.

Submissions

The discussion paper was widely distributed. Following a news release announcing its availability and advertisements in local newspapers, the discussion paper was posted on the web, provided to all libraries and MLA constituency offices, and mailed to anyone on request as well as to all stakeholders and municipal governments. Written submissions were received both electronically and on paper.

There were a total of 165 submissions received as follows:

• General Public	54
• Urban Municipalities	37
• Rural Municipalities	31
• Police Stakeholders ¹	15
• Provincial Ministries	15
• Miscellaneous Organizations	12
• First Nations	1

The major themes arising from the submissions centered on levels of service and the cost of policing. Many respondents see an inequity in policing, either in service levels or in policing costs. There was also a general concern about oversight of policing, including responsiveness to provincial and local priorities as well as the investigation of complaints about police. A third common theme that emerged was the need for common policing standards established and monitored by the province.

¹ Includes one First Nations Police Service and one First Nations Police Commission

Police Strategic Vision Project

During this period, the Public Security Division organized a "Police Strategic Vision" project that brought a wide variety of stakeholders together to develop a long range and strategic vision of policing. The findings of this project have proven a valuable resource to the Review Committee, and in fact its main themes form the structure of this report.

The Vision project identified three themes for the future of policing in Alberta:

- Equitable Policing;
- Provincial Leadership;
- Public Oversight of Policing.

These themes closely parallel those identified in the public submissions.

Consultations

The committee then met with selected resources to obtain more detail concerning a number of the issues that were raised in the submissions. These resources included persons with backgrounds in front line policing, police management, provincial and local government, and public oversight of policing.

Format of the Report

This report contains the recommendations of the committee along with discussion of the recommendations. The report is structured around the three themes of "Equitable Policing", "Leadership", and "Public Oversight", along with a fourth section of "Miscellaneous Issues". Detail and background material will be contained in appendices.

Definitions

The committee has chosen to use certain terms in a very specific manner that may be different from usage in other contexts. Following are definitions used by the committee:

Rural Municipality: refers to those municipalities that are not required to pay for their own policing. This includes towns with a population under 2500, as well as municipal districts, and special areas. We are aware that counties no longer exist under the *Municipal Government Act*, but may use that term for clarity since many incorporate that term in their name.

Urban Municipality: refers to those cities, towns, villages, and specialized municipalities that pay for their own policing.

Municipal Police: refers to independent police services that operate under a locally appointed police commission.

Contract Police: refers to a town or city that is policed under contract.

Policing Agreement: refers to the agreement or contract between Canada and Alberta or between Canada, or Alberta, and a municipality for RCMP policing services.

FINDINGS AND RECOMMENDATIONS

The committee notes that policing in Alberta is in very good shape, providing a high quality service, and enjoying the confidence and support of the general public. We did identify a number of challenges facing both governments and police to ensure policing continues to provide the service Albertans require. Since the 1988 *Police Act* came into being, Alberta, along with the rest of Canada and North America, has seen significant changes. Following the terrorist attacks on New York and Washington in September 2001, public expectations of police have changed. Individual and group security is a major concern of all. Police and those overseeing police face new and demanding challenges.

From the perspective of the local and provincial governments, there have been a number of developments that significantly affect policing. One is the blurring of distinction between urban and rural Alberta brought on by changes in the form of municipal government, such as the creation of specialized municipalities and the un-incorporation of the former City of Drumheller. Also, there has been an increase in suburban populations through the development of high density acreages, requiring higher levels of policing. Many rural municipalities now enjoy a taxation base on par with their urban counterparts. Yet, they are still policed by the province at no direct local cost, but at lower levels than urban areas.

From the perspective of policing itself, there are a number of new challenges. The increase in gaming with the concomitant flow of large amounts of money is one such challenge. Other changes in the policing environment include technological advancements, such as the Internet, photo enforcement, and information technology. We have a highly mobile society that requires greater sharing of information and more cooperation between police. This implies a need for more standardization between police, and a requirement for more highly trained and educated police officers. This is further dictated by the development of global issues including organized crime and international terrorism using high technology.

This report is not a recipe book on policing. The committee tried to focus on overall themes and principles, only dealing with specific details where the issues demanded it. Many of the recommendations will raise questions about implementation and procedural details. The committee will leave these in the capable hands of the government and policing professionals who will be responsible for implementing the recommendations. Likewise, we have made a number of recommendations for areas that require further study. These are technical or long term studies that require expertise and resources beyond that of this committee.

While many of the committee's recommendations are quantitative in nature, simply adapting current practices, some involve qualitative changes to policing oversight and practices. The most far-reaching of these are concerned with ensuring equitable policing. These include establishing an independent Policing Support Grant fund to enhance services in those areas needing it, and requiring all municipalities to pay for policing.

Recognizing that many of our recommendations entail a cost, we have looked at various methods of increasing efficiencies in policing in the section on "Service Equity." These include creating a "deputy constable" classification, establishing a common recruiting and training capability for the whole province, and extending the use of technology. Further, the section on "Paying for Policing" presents some methods for finding the funds for the Policing Support Grant.

Our recommendations should not be regarded as pointing to an ideal end state, but as a starting point for a process of ongoing change and enhancement. Policing and governance of policing must constantly be evaluated and adapted to meet the changing environment and public expectations.

Equitable Policing

One of the strongest principles that emerged during the consultation on policing is an almost universal desire for equitable policing throughout Alberta. Equitable does not mean equal. Communities differ widely in the level and amount of policing they need, in the type and style of policing required, and in their ability to pay for the policing needed. While most communities fall into a normal range, the extremes show a few communities with high crime rates and a small tax base, opposed to others with low crime rates and a prosperous economy.

Several major themes arose regarding the principle of equity:

- Fairness in funding allocation.
- Ensuring standards are adhered to for all levels of policing.
- Effective and efficient service delivery.
- Community-focused policing with inter-agency collaboration recognizing local diversity.
- Flexibility using broad resources.
- A facilitating partnership, respecting local autonomy and recognizing agency uniqueness.

The principle of equitable policing takes two closely connected forms:

- Financial equity, and
- Service equity.

Service equity focuses on the ideal that all Albertans should receive the level and quality of policing needed. Financial equity centres on the ideal that all Albertans should pay for policing in accordance with the services they receive and their abilities to pay. We will deal with these two perspectives separately while recognizing that they are closely related.

All citizens should have access to the same level of policing. Those who cannot afford that access should be subsidized.
- R. Reid

Financial Equity

The committee recognizes that there is a serious inequity in the financial aspects of policing in Alberta. This is primarily due to two factors:

- Rural municipalities are policed by the province at no direct cost, while urban municipalities must provide their own policing.
- Some municipalities are hard pressed to pay for the policing they need, having a limited taxation base. This is often compounded by an adjoining rural population with high crime rates.

There are other factors contributing to inequity in policing costs. Rural municipalities surrounding major cities have grown greatly

over the years, particularly in development of high-density acreage areas. These make an increased demand on provincial policing resources, sometimes at the expense of remote rural areas. Many of these "rurban" municipalities have a larger tax base than

"For those municipalities that are over 2500 persons, their residents are paying for policing through their residential tax dollars as well as through personal income tax; while Municipal Districts with large population figures pay nothing through their residential taxes."

- W. Nimmo

some of the poorer urban municipalities that are struggling to meet their policing needs. Another factor is the development of specialized municipalities who pay for policing within the original "urban service area". However, development continues adjacent to, but outside, the original urban service area. Responsibility for policing these developments falls to the province. A third factor is that of major resource development projects in rural areas, bringing with them large construction crews that draw on local policing and enforcement services. In these cases, the corporations themselves should be assisting in the cost of policing.

The committee's recommendations in this regard reflect three themes:

- Everyone should pay for policing,

- Establishing a grant to assist those municipalities having difficulties paying for their policing needs, and
- Methods to obtain the funds for the grant.

The committee believes that all Albertans should share the load for policing, taking into account policing needs and service levels, along with the ability to pay for policing. The simplest method is for the province to continue policing rural areas, but with the municipality paying for it.

1. The committee recommends that all municipalities pay for policing as a first step to enhancing policing services, especially to rural areas. The funds collected must go into the Policing Support Grant fund, not into general revenue.

The simplest method of calculating the cost to the municipality would be a per capita assessment based on the provincial police's police-to-population ratio. The cost of specialized services, such as aircraft, communications, and major crime investigations, must not be included in calculating the cost to the municipality.

Rural municipalities would continue to have the option to provide their own policing either by contract, forming their own police service, or by entering into a regional police service.

The committee envisages establishing a specific, independent fund to provide a Policing Support Grant to those municipalities that fall below a benchmark in tax base, or above a benchmark in policing needs. This would apply to all municipalities.

2. The committee recommends the establishment of a provincial Policing Support Grant fund to provide grants to municipalities calculated by a formula using the municipality's equalized assessment and crime rate. This would be used to enhance services to municipalities requiring higher levels of service.

Submissions provided a number of suggestions that could be applied to funding the Policing Support Grant. The following section will address this issue.

Paying for Policing

The committee recognizes that many of its recommendations come with a price tag: policing is expensive. The committee received a number of ideas to increase funds for policing or to achieve some savings that could be reallocated:

- Return the current value of the former Municipal Policing Assistance Grant (\$16 million) to the Ministry of the Solicitor General from Municipal Affairs.
- Pool funds paid to the province for provision of provincial policing services to rural areas into the Policing Support Grant fund.
- Place a surcharge on all provincial fines to go to the Policing Support Grant fund.
- Assign fines for provincial offences from areas policed by the province to the Policing Support Grant, instead of to the municipality.
- Review the amount of fines for provincial offences and assign any increase to the Policing Support Grant fund.
- Assess corporations with major development projects a fee to supplement the additional policing costs.

Municipal Police Assistance Grant

Until the 1990's, a Municipal Police Assistance Grant (MPAG) was paid to those municipalities that provided their own policing. This grant was originally established to compensate for the fact that, while all Albertans pay for the Provincial Police Service through provincial taxes, urban Albertans pay again for policing through municipal taxes. This grant was transferred to the Ministry of Municipal Affairs to become part of an unconditional grant. Over the past decade, governmental restraint has resulted in the value of the grant diminishing so that the remnant of this fund now contributes only a small proportion to the cost of policing. Originally, the grant was paid to municipalities

on a per capita basis, without consideration of the municipality's policing needs or ability to pay for those needs.

The Municipal Police Assistance Grant should be returned to the Ministry of the Solicitor General to form the core of the Policing Support Grant Fund. The ministry could then ensure that the funds are directed to where they are most needed. The current value of the former MPAG is approximately \$16 million.

3. The committee recommends that the current value of the former Municipal Police Assistance Grant be returned to the Ministry of the Solicitor General to be used to enhance policing and to provide financial assistance to municipalities needing it.

Fine Revenue

Presently, the revenue from most provincial fines is turned over to the municipality where the offence occurred, regardless of whether the municipality provides its own policing or not. We recognize that a number of rural municipalities do provide some enforcement through special constables, who generate a portion of the fine money accruing to their municipality.

"...we would support the concept that all fine monies be deposited to the .. Ministry of Law Enforcement, but not to...general revenues."
- Alberta Federation of Police Associations.

The committee believes that the present system leads to inequity. For example, one rural municipality, with a population of over 23,000, that is policed by the province at no cost (but does employ special constables), received just over \$1 million in revenue from "policing" with an expenditure of just under \$500,000 in that category. This can be compared with a town of 2,600, that paid about the same for policing, but with a fine revenue of only \$32,000². The committee believes that at least a portion of fine revenue should be directed to the Policing Support Grant.

4. The committee recommends that 25% of provincial fine revenue go to the Policing Support Grant fund.

² Municipal Financial Reports, 1999

The committee recognizes that policing and other enforcement must not be driven by the expectation of fine revenue, and must not have the appearance of being so. It is important that the funds go to the government and not to the police or enforcement agency itself, in order to avoid the appearance of enforcement for revenue. For the same reason, the government, municipal or provincial, should not forward those funds unconditionally or directly to the police service.

Though not related directly to policing, we feel we must comment on the fact that the province does not collect an administrative fee for the handling and disbursement of fine revenue. Most other provinces assess this before funds are sent to municipalities. The cost to the provincial government in administering this is considerable and should be recouped.

Corporate Responsibility

Private industry can have a significant impact on the needs for policing. This is especially true when major projects are being constructed, such as petrochemical plants, and in seasonal resource activities such as oil exploration and logging. In many cases, the private industry is aware of this and voluntarily cooperates with the local authorities in the development of a policing and public safety plan. The committee believes that this should be formalized and extended so that private corporations involved in seasonal work or major developments pay at least a portion of the additional policing required.

Proceeds of Crime/Civil Forfeiture

Under the *Criminal Code of Canada*, proceeds of crime can be seized and forfeited to the crown. Seized assets are shared between the provincial and federal governments. In Alberta, the provincial funds are shared between crime prevention programs and special or innovative law enforcement initiatives. There are only a small number of federal officers assigned to actively pursue seizing proceeds of crime. Naturally their focus is on the largest, most lucrative targets. There is room to cast the net wider, targeting less lucrative targets, but, which taken together, could produce significant assets and inflict further damage on criminals, particularly those involved in organized crime. Provincial

civil forfeiture legislation would simplify the process and likely further broaden the scope.

Of course, such investigations are complicated and costly. Before taking this on, it would be important to determine if this would be cost-effective in the long run.

5. The committee recommends that the Solicitor General and Attorney General explore the cost effectiveness of forming a provincial crimes assets seizure team and of proceeding with civil forfeiture legislation.

Service Equity

The principle of service equity itself consists of two components that we will consider separately:

- *Level of Service:* dealing with issues of number of police officers and their availability and response times. This is an issue frequently raised by rural Albertans, where detachments cover wide areas with few officers. It is also a concern for some smaller urban centres that experience financial difficulty in providing the number of police needed, either because of low municipal tax base or high crime rates, or, more usually, a combination of these.
- *Standard of Service:* dealing with issues of quality of service such as training, equipment, effective policies and procedures. Often small police services may lack the resources or expertise to purchase state of the art equipment, provide enhanced training, or even to develop comprehensive policies and procedures.

Level of Service

The level of policing service, as reflected in the number of police officers, their availability, and response times, is closely tied to financial issues. Police officers are expensive to train, pay, equip, and support. On the one hand, it would be fiscally irresponsible to assign police officers to duties or areas where they are not needed. On

the other hand, a police officer could potentially be urgently required at any location in the province. This section discusses a variety of means to enhance policing services, ensuring a more equitable level of service throughout Alberta.

A major concern expressed by rural Albertans is that they receive a very low level of policing; police may visit some rural areas weeks apart. An emergency in a remote area

“...most rural municipalities neither require nor receive the same level of policing service that is available within urban centres.”

- Alberta Association of Municipal Districts and Counties

may wait an hour or more for a police officer to cover the distance required. Yet, it isn't feasible to place a police officer in each community in the province. Further, it isn't required for the vast majority of time: crime and emergencies are rare,

especially where the population is sparse.

Some urban centres also have concerns about levels of service. These are often cases where a smaller municipality has a very high crime rate but cannot afford the number of police officers required. In these cases, police have little, if any time, left for dealing with minor issues, let alone assisting in crime prevention programs.

The principle of equitable levels of service is difficult to meet. While the issue is primarily financial, there are a number of other initiatives that can be taken to reduce the demands on police, freeing them up for where they are needed. One of these is the development of supplementary policing.

Supplemental Law Enforcement

The development of supplementary levels of professionals has already taken place in other vocations, such as nursing, with the creation of licensed practical nurses, and in teaching, with certified teacher aides, among others. These supplementary professionals perform duties that require less training and expertise, but which nevertheless are both important and time consuming. While performing valuable service in their own right, they also free the more highly trained staff to apply their higher level of expertise.

Policing too can benefit from this approach.

Deputy Constables

The committee envisages a supplemental level of enforcement called "deputy constables". These would supplement police by providing peace officers to perform specific duties for which they are specifically trained. There are a number of examples already in place in Alberta. Presently, 34 municipal districts and counties employ a total of 93 special constables to enforce traffic violations, usually on secondary roads that may see little police presence. Also, the RCMP uses auxiliary constables to provide a second person in a patrol vehicle, for traffic control, and to deliver crime prevention programs. A further example is police services using special constables for specific tasks that require peace officer status but don't need a police officer. These include such duties as swearing informations, document service, and handling exhibits such as drugs and firearms. However, there are concerns about these, and similar, programs.

"Cost and community needs have resulted in a multi level approach to policing (that) should be expanded."
- Alberta Special Constable Association

Consistency between police and supplemental enforcement as well as between jurisdictions is a major concern. This arises mainly where rural municipalities employ special constables answerable only to their employer - the municipality itself, compared to other municipalities whose special constables work under the direction of the local detachment commander or chief of police. It is important that police and deputy constables have consistent priorities and do not work at cross-purposes or duplicate efforts. Similarly, adjoining municipalities should be consistent. An example brought to the committee's attention is of a driver being issued a warning and instructed to fix a piece of equipment, then being ticketed minutes later after crossing into another municipality.

Another issue, and an important one, is to ensure that all deputy constables have the requisite training as well as supervision, guidance, and governing policies and procedures. Because of the wide variety of roles deputy and special constables play, this is not amenable to simple "one size fits all" solutions. Many current special constables are ex-police officers and the Special Constable Association is very active in promoting

high standards and training. However, because of the wide variety of roles and types of employers, along with the large number of constables, training and standards can be difficult to monitor. This is exacerbated by the fact that there is only a single authority appointing and monitoring special constables: the Public Security Division of the Solicitor General.

There is also concern about the term "special constable". Some feel that it is derogatory, implying a lesser or minor breed of enforcement officer. Others feel that it is too vague, covering too vast a range of roles, duties, and appointments.

The committee sees an opportunity to improve service levels throughout Alberta by enhancing the role of supplemental enforcement through the use of deputy constables. However, we believe that the current special constable provisions need to be altered to recognize the difference between those involved in supplemental policing and those performing specialized duties. In the latter category fall special constables employed by government agencies, such as gaming inspectors, or conservation officers. Supplemental policing refers to those whose work overlaps that of police, freeing police officers for more complex duties or supporting police officers in the field.

The committee proposes that legislation create a supplemental level of policing that would be part of the local police service, performing specialized duties, such as traffic enforcement, responding to low priority calls, delivering prevention programs, acting as school liaison officers, or other specified duties commensurate with their training. These officers would have to meet provincial recruiting and training standards. Such positions would also be effective as a developmental program for future police officers, or could use semi-retired police officers in a limited role.

It is vital that these officers be subject to public oversight in the same manner as police officers, and be subject to the same code of conduct and discipline.

The committee envisages that deputy constables would be employed by the municipality and work under the supervision and direction of the local detachment commander or chief of police. Where a police commission exists, they would be appointed by the commission in the same manner as a police officer. In areas policed by the RCMP, a policing committee would be given this authority. However, as these committees are not as well developed or structured as police commissions, the Public Security Division would likely have to provide support and guidance. (See also the discussion on police committees in the section on Public Oversight.)

6. The committee recommends that the Police Act be amended to create a supplemental level of policing called "deputy constable", distinct from "special constable". Deputy constables would work under the direction of the local police service, and would be appointed by the local police commission or committee. They would have to meet educational, recruiting, and training standards established by the Solicitor General in consultation with police services and commensurate with their duties. They would be subject to the same code of conduct and disciplinary procedures as police officers.

The creation of deputy constables would eliminate the use of special constables for municipal enforcement. It may be necessary to "grandfather" current municipal special constables into the new classification. In any case, a phase-in period would be required.

Jurisdiction and Secondary Highways

The jurisdiction of "deputy constables" is an issue that needs to be considered. There is occasional uncertainty by some current special constables as to their role and extent of

"The roles of municipal special constables have long been blurred and lacking in formality and definition"
- S. Rempel

authority and responsibility. This is particularly the case when they come across a serious incident that is either beyond their authority or outside of their geographical jurisdiction; for example, when making a routine traffic stop and discovering

drugs in the vehicle, or observing dangerous driving while travelling on a highway that is not part of the constable's jurisdiction. The jurisdictional authority of deputy constables will need to be clearly laid out in provincial legislation and by the local authority.

Enforcement on secondary highways is an immediate concern that requires interim measures pending the development of a system of deputy constables. We refer to an unintended consequence of the change in definition of primary highways to include secondary highways. Municipal special constables who were authorized to enforce laws on secondary highways no longer have authority on those roads. This will result in either an increased load on the RCMP or reduced enforcement on those highways.

7. The committee recommends that current special constables who previously had authority on secondary highways continue to have authority on "triple digit" highways.

Roles of non-peace officers

Non-enforcement personnel can also be used to release police officers for more direct service. In fact, police services have been moving down this path for some time by increasing the use of civilians for many functions such as communications, crime prevention, and public relations.

One area that has not been integrated into a public safety strategy in Alberta is that of the private security industry. While the private sector does not have a direct role in "policing" *per se*, they can augment police by taking a greater role in public safety. The vital difference between police and private security is where their ultimate responsibility and loyalty lies. The police are responsible to the crown, the law, and to justice, and thus, operate in the public interest. On the other hand, the private security industry is responsible to their employer, usually in terms of protection of property or loss. Although private security may be denigrated in comparison to police, they have, in fact, very considerable powers in relation to private property, powers that lack many of the checks and controls that we place on our police.

The boundary line between what police do and what private security does has become blurred. There is a growing gray area of overlap. For example, police services may hire private agencies for forensic audits, or store security staff have requested authority to lay charges for shop lifting. While police and private security often work cooperatively in this gray area, there are times when they duplicate services, or may even work at cross-purposes. A review of this area of overlap could lead to releasing some policing priorities, as well as ensuring the public interest is well served.

"For many years in Alberta, security and investigative agencies from the private sector have provided economical and professional alternatives to public policing. They have occasionally provided services to the police when they lacked a particular expertise or...resources to meet their particular mandates.

- Alberta Association of Private Investigators

Private security has been growing steadily over the last few decades and presently outnumber police in Alberta by a large margin. Only a small portion of the industry is regulated by the government, that of contract security agencies and private investigators. Alarm agencies, "in house" security, and armoured car guards are not licensed (other than standard business licensing). This is especially of concern in light of the fact that armoured car guards carry sidearms (see the discussion on "Use of Deadly Force and Training" below).

The legislation governing the whole private security industry has been neglected by the province for some time; it has not been substantially changed since the 1948 *Private Detectives Act*.

8. *The committee recommends that the Solicitor General initiate a comprehensive review of the private security industry in order to modernize legislation and to determine how the industry can be integrated into the overall strategy for public safety.*

Use of Aircraft

A major concern of much of rural Alberta is the lack of service, frequently expressed in the time it takes for a police officer to respond to an emergency. This is compounded by the fact that there are areas of Alberta without all weather road access. The use of aircraft, especially helicopters, would be very effective in providing rapid response to rural emergencies and routine access to remote areas. Yet, the committee notes that the RCMP provincial air service has been reduced to two airplanes and one helicopter, based in Edmonton. The former bases at Peace River and Fort McMurray have been shut down.

The cities of Edmonton (on a trial basis) and Calgary are both operating police helicopters. It is rather ironic that helicopters are more common in areas that can have a ground unit respond to virtually anywhere in the jurisdiction within minutes. Helicopters are used by the RCMP and city police primarily as observation platforms, while the RCMP'S fixed wing aircraft are largely used for administrative and logistical purposes. In rural Alberta, both types of aircraft could be used to place an officer on the ground in response to emergency calls, including backup to ground units. The committee is of the opinion that the provincial police service could greatly improve their response to rural Alberta through increased use of aircraft. We recognize that aircraft are expensive to purchase and operate, and are subject to vagaries of weather. Therefore, a careful cost benefit analysis needs to be done.

"Recent advances in new technologies, coupled with the vast number of innovative technologies that currently exist can directly improve the responsiveness of our Police agencies."

- Lockheed Martin IMS

The role of helicopters as observation platforms, tracking, and locating persons and vehicles is important; however, there may be cheaper alternatives in the form of unmanned aerial vehicles (UAV). The military is expanding the use of UAV's in reconnaissance and surveillance, and police services in the United States and Britain are exploring their application for policing. Again, research is required.

9. The committee recommends that the Ministry of the Solicitor General, in consultation with the RCMP, and the Edmonton and Calgary police services, conduct an evaluation of the cost effectiveness of aerial response to calls in rural Alberta, and into the use of manned and unmanned aerial vehicles for policing in both city and rural areas.

Traffic Enforcement

Traffic enforcement is a highly complex and very important policing function, requiring significant policing resources. It provides not only for traffic control and motorist safety, but also provides police contact with a mobile public, thereby being a source of intelligence and detection of crimes. This is particularly important in relation to organized crime and drug offences that depend heavily on mobility.

The committee believes that photo enforcement can be a useful tool to enhance policing on primary highways, not to replace it. Photo enforcement would allow highway officers to shift their focus towards suspicious behaviours, unsafe vehicles, and unsafe driving patterns. The deterrence and ticketing of routine speeding would be primarily in the hands of technology. This would free police officers to focus on those traffic infractions that photo enforcement is unsuited for, and which in many cases may be more dangerous, such as erratic driving behavior, unsafe equipment, or impaired driving, as well as watching for stolen or suspicious vehicles. This would work well within the current Selective Traffic Enforcement Program (STEP) where police and other traffic enforcement agencies focus on selected high-risk behaviours.

Another significant advantage of photo enforcement on primary highways is that of the safety of police officers and motorists. Two vehicles stopped on the shoulder of the highway, with a police officer standing to the traffic side of the vehicle pose a distinct danger to the officer and inattentive motorists. Letting technology handle the routine cases would reduce this danger considerably.

There are presently provincial guidelines on the use of photo enforcement. These guidelines require police to advise motorists of photo enforcement locations by announcements and signs, and restrict usage to appropriate locations. Such notifications do much to enhance the deterrent effect of traffic laws.

10. The committee recommends that, in order to enhance highway enforcement, and motorist and officer safety, the provincial police be authorized to use photo enforcement on selected problem highways, and school and construction zones. The use must be subject to the provincial guidelines, and should be conducted in consultation with other government departments. There must be no reduction in the number of police officers presently assigned to highway patrols.

Standards of Service

We will discuss this theme from several perspectives: consistent quality of personnel, standard policies and procedures, and consistent infrastructure.

Quality of Personnel

The quality of a police service is determined first and foremost by the quality of its personnel. Consistent recruitment standards, basic training, and ongoing or specialized training are vital in ensuring a consistently high quality of policing throughout the province. The committee recommends common recruitment and training at a provincial Centre of Policing Excellence to meet these criteria.

Training

Training police officers is expensive. The major police services expend considerable resources on this, often duplicating each other's efforts. Training, both basic and enhanced, can be a particular problem for the smaller police services. A single training program would provide economies of scale and reduce duplication.

11. The committee recommends that the Solicitor General establish a "Centre of Policing Excellence" for the province to provide police recruit training, as well as ongoing professional development of police officers. This facility should be developed in partnership with the ministries of the Solicitor General, Learning, and Human Resources and Employment, as well as police services.

Enhanced training and specialist development is another area that should be available to all police services and their staff across the province. Smaller police services depend primarily on the larger services for such opportunities. The Centre of Policing Excellence would provide this service for all police in Alberta, and perhaps to other provinces.

This centre should be staffed by a combination of full time instructors and seconded police officers to ensure that current policing practices and issues are kept in the forefront. The centre could also include related enforcement and public safety fields, such as deputy, special, and auxiliary constables, crime prevention programs, victim service agencies, and the security industry. Various provincial government agencies should be involved in the development of this program.

The centre could be located in an existing educational facility, such as one of Alberta's colleges, or could be self-contained using, for example, the Alberta Justice Staff College or the recently closed Bow River Correctional Center. Lethbridge Community College, Mount Royal College, and Grant McEwan College already offer comprehensive law enforcement and security training programs that could be expanded to provide this centre.

The difficulty for police officers in moving between police services hampers the development of consistently high quality policing in Alberta. Greater movement of police officers would allow for increased sharing of expertise and would enhance consistency in policing practices. While part of the problem is the existing contracts with the police officer associations that prevent hiring a police officer at any level above constable, the lack of common recruiting standards and a common training regime

contribute to this. The recently developed provincial recruitment standards are a move in the right direction, but needs to go further.

Recruitment

The present practice in Alberta is for police to take a recruit on the payroll during basic training. This is in contrast to most other professions; for example, nursing and teaching, where students are responsible for their own specialized education and then seek employment. The RCMP depot training in Regina has adopted this model. The committee supports this approach.

12. The committee recommends that the Solicitor General establish a common police recruiting and training program that would provide a single entry point for police officers, deputy constables, and other law enforcement personnel. This would establish a pool of highly qualified police recruit graduates available for any police service in Alberta to draw on. It is further recommended that trainees in this program pay their own tuition, similar to other professions.

The application of the above recommendations would provide overall financial savings to municipalities by providing the economies of scale of a single facility and program. Duplication of recruiting and training resources, especially by the large police services, would be greatly reduced.

Use of Deadly Force Training

One of the things that makes police unique in our society is that society has granted them the power to use deadly force in very restricted situations. Police officers are armed and are thoroughly trained in how to maintain and to accurately fire and control their weapons. However, equally important, police officers are trained not only in how to use a firearm, but also how to avoid having to use it. In Alberta, and in most other police services, police are trained to use a "continuum of force". Under this model, officers invoke an appropriate level of authority from verbal to physical control to lethal force, in response to a continually changing situation, to gain compliance, defuse situations, and

protect lives. Beyond training and formal policies, police culture in Alberta continually reinforces restraint in the use of deadly force.

A number of other agencies either carry sidearms or want to. These include some governmental enforcement agencies, armoured car guards, and some special constables. The committee understands that officer safety is a valid issue in many of these cases. The committee also recognizes that those agencies that do carry sidearms ensure their staff are appropriately trained in how to use them. However the committee is concerned about the lack of training and ongoing reinforcement in how to effectively deal with potentially deadly situations without resort to a firearm. For example, few non-police agencies conduct the rigorous psychological testing that police services do.

Of special concern to the committee is the case of armoured car guards who carry sidearms but are not regulated other than by the employer's standards and the requirement of the local firearms officer that they qualify in the use of the weapon.

13. The committee recommends that the Ministry of the Solicitor General closely control and monitor the carrying and use of sidearms; and that all agencies that issue sidearms to officers or employees must be required to provide initial and ongoing training in both the use of the weapon and alternatives to use of deadly force (e.g. continuum of force model) meeting provincial standards. All agencies must provide confirmation that their personnel meet these standards of professional competency.

Standard Policies and Procedures

Another effective component of equitable policing standards throughout Alberta is mandatory provincial standards. The Public Security Division of the Alberta Solicitor General has already commenced this process; however, the committee believes the draft *Alberta Policing Standards* do not go far enough. These are largely standards as to what policies police services should have in place. What is needed is provincial consistency in what is contained in those policies. For example the "Use of Force" standard requires that "The police service shall have written policy governing the circumstances under

which an off-duty employee may carry an authorized weapon." It is the committee's view that there should be one such policy applicable throughout Alberta. That policy should be established by the Solicitor General in consultation with the police services.

"The work being done by the Policing Standards committee provides my answer. I support a provincial standard and agree with the methodology being used to arrive at one. Once in place the province should monitor police services..."
- A. Rudd, Blood Tribe Police

14. The committee recommends that detailed, mandatory, consistent policing policies, applicable to all police services in the province, be established by the Solicitor General. To facilitate this, the Police Act should be amended to specifically allow the Minister to issue Ministerial Orders or make regulations setting and approving police policies and procedures.

The committee recognizes that the draft *Alberta Policing Standards* are in an early stage of development and that the development of true policing standards across the province will be a gradual and incremental process. Smaller police services have limited management support resources and may be lacking some of the expertise needed to develop effective policies. The Solicitor General can assist them by issuing templates for policies and providing examples and models of acceptable policies. This would also encourage consistency among the larger services.

15. The committee recommends that, during the initial stages of development of policing standards, the Solicitor General continue to work with stakeholders to issue policy templates and model policies to guide police services as they develop consistent policies across the province.

Consistent Infrastructure

Information is the lifeblood of effective policing. Justice Campbell's report on the Paul Bernardo investigations in Ontario highlights how essential it is that police share information in a timely and complete manner. While Alberta police services work well together in sharing information and developing common intelligence bases, they lack a

common information technology and communications system. It is important that police have at least the capability of ready access to a common and current database of suspects. Ideally, there would be a common technology throughout the province for computer and communication systems. The province's "SuperNet" high-speed data system could be used to facilitate this.

These are issues of high cost and long development times. The larger police services have established their own information technology, while most of the smaller services use the RCMP "PIRS" system. It is not realistic to expect the services with their own technology to immediately change to a provincial system. However, as new systems are developed or existing ones are enhanced, their ability to share and communicate with other systems should be a basic criterion. Thus, integration of technology would be achieved incrementally. It is important that the Ministry oversee technology development to ensure this compatibility.

16. The committee recommends that the Solicitor General develop a plan for seamless communication and flow of information between all police agencies in the province. All future development of police information and communication technology must be compatible to ensure the free flow of information between police services.

Leadership

Leadership was one of the three major themes identified through public submissions and the Police Strategic Vision project. Traditionally, the province has taken an arms-length approach to municipal policing. Many submissions received by the committee stressed the need for provincial leadership in oversight, direction, and support for police services and police commissions. While it is vital that policing is governed locally to meet community needs, it is also essential that the province provide greater leadership in the development and oversight of policing. The committee sees an Alberta Policing Secretariat in the Ministry of the Solicitor General as being the primary mechanism to provide this leadership.

Following are the main themes concerning provincial leadership that emerged from the Police Strategic Vision project, public submissions, and consultations:

- **Research and Policy Development:** Effective and consistent policy development must rest on a base of research that takes into account demographic and economic trends, newly developed techniques and technology, changing legislation, etc. While local police are generally in tune with local issues, demographics and trends, they are not effective at bringing forth global and provincial perspectives to policing. This role can best be performed by the Solicitor General.
- **Planning:** While policing needs vary among communities, there are common policing priorities that can most effectively be addressed through a provincial policing strategy. The establishment of provincial and local priorities should be done in concert with each other, involving local, stakeholder, and public input. In this way, overall Alberta policing priorities can be developed that will result in the provision of clear, consistent, results oriented direction for service deliverers.
- **Resource Allocation:** While urban centers must provide for their own policing, there is a wide diversity in their abilities to pay for the service they need. Further, rural Alberta is not required to provide for policing, being policed instead by the province. There is a need for the Solicitor General to take the lead in ensuring a

fair and sustained allocation of resources so that police services have the tools to meet the challenges they face. In devising this strategy, the province must also decide what police roles are absolute and what functions can be delivered by alternate means, such as deputy constables or the private security industry.

- **Monitoring/Auditing:** Notwithstanding variations in policing needs between communities, Albertans deserve and expect policing services to be delivered to the same basic standards across the province. The Solicitor General must play a lead role in establishing and monitoring standards that promote ethical leadership and behavior, and excellence in policing. The Solicitor General must also ensure that corrective action is taken whenever substandard performance is detected.
- **Information Sharing:** Policing and other enforcement stakeholders and providers in Alberta are widely varied including civilian commissions and committees, municipal politicians, Law Enforcement Review Board, government departments, and the public in addition to the police themselves. The Solicitor General has a key role in facilitating meaningful communication, planning, and information sharing amongst these varied interests and to provide mechanisms to ensure they have input into government decisions that affect them.
- **Accountability:** The Solicitor General must provide for effective police oversight by ensuring proper accountability procedures and public involvement in police governance matters. This includes providing police commissions, policing

“...policing is not well supported at the provincial level. Delivery of policing services is fragmented through ... non-uniform police training... non uniform policies...a lack of provincial support for police committees, commissions and services, and the need for...advice on leading edge policing issues. These issues could be addressed through...an Alberta Policing Ministry.

-C. Hass

committees, and other police oversight bodies with the structures and tools that they require to effectively fulfil their roles.

Creating a separate ministry, the Solicitor

General, to be responsible for policing was a

strong step towards providing the essential leadership for policing in Alberta. The former Ministry of Justice and Attorney General simply had too many areas of responsibility,

each vying for attention and resources, to allow policing to receive the focus and attention it requires.

17. The committee recommends that the Ministry of the Solicitor General continue to be a separate ministry to provide the necessary focus and priority to policing in Alberta.

The Solicitor General should be the focus for all law enforcement matters. For example, the ministry should provide strong leadership in the development of new legislation or policies by other government departments. There have been cases where inadequate consultation resulted in policing problems:

- The recent changes to the *Health Information Act* seriously restricted the ability of police to obtain vital information.
- When bar opening hours were extended, it had a major impact on police scheduling and overtime.
- Reclassifying secondary highways as primary highways removed enforcement by municipal special constables on those highways.

It is important that all provincial government departments and agencies review proposed legislation with the Solicitor General to determine their effects on policing.

Throughout Canada, there are a wide variety of approaches to policing and to overseeing policing. There are likely lessons that can be applied to Alberta to enhance our leadership in policing.

18. The committee recommends that an external study be made of the operation of the Ministry of the Solicitor General and its counterparts in other provinces to identify the most efficient and effective programs, services, and governing structures to ensure Albertans are receiving the best possible policing.

Alberta Policing Secretariat

Providing leadership for policing in Alberta involves more than the delivery of policing services itself - public oversight is a vital component. The committee sees three functions that require strong provincial leadership:

- Policing service: including police services, commissions, and committees.
- The handling of public complaints concerning police.
- Investigations of serious incidents involving police officers.

Currently, the Director of Law Enforcement (who is the Assistant Deputy Minister of Public Security) is responsible for policing services, while the Law Enforcement Review Board oversees the handling of public complaints as well as police discipline. The third function has no specific provincial body responsible for it, depending instead on a variety of checks and reviews including monitoring by crown prosecutors, and courts, and inquiries directed by the Fatality Review Board.

The three threads of provincial oversight and leadership could be effectively brought together under one body, reporting to the Solicitor General, the Alberta Policing Secretariat. (See the appendix for a suggested organization structure.)

19. The committee recommends that an Alberta Policing Secretariat be formed, reporting directly to the Solicitor General, who would be responsible for providing leadership in three areas:

- ***Policing services, operations, commissions, and committees,***
- ***Public complaint and police discipline processes, and***
- ***Investigations of serious incidents involving police officers.***

The committee envisages the Alberta Policing Secretariat as being headed by a "Chief Commissioner of Policing" overseeing appropriate working divisions, branches, or boards; as well as working with stakeholder councils. These councils would meet

periodically with the Secretariat to discuss emerging issues and advise the Secretariat, as well as being responsible to the Secretariat for policing in their communities.

20. The committee recommends the formation of three councils to work in partnership with the Alberta Policing Secretariat to ensure consistency throughout the province and to provide a means of exchanging ideas and establishing cooperative networks.

- *Council of Police Commission/Committee chairs;*
- *Council of Chiefs of Police and Executive Officers of other enforcement agencies;*
- *Council of police officers including “front line” staff to bring professional and practical expertise to the table.*

The exact makeup of these councils would be decided by the Secretariat to ensure appropriate representation and expertise, as well as manageable size.

The two areas of the Secretariat that relate to public confidence in the police, complaint handling and serious incident investigation, will be discussed in the section of the report dealing with public oversight. The remaining function, providing leadership to police, commissions, and committees is discussed below.

Following are some of the leadership challenges facing the Alberta Policing Secretariat.

Standards and Audits

During the consultation, the committee was frequently told that the establishment of consistent policing standards and ensuring that those standards are met is of the highest priority. The Public Security Division has already developed plans to expand its leadership role by forming a Standards and Audits Branch.

21. The committee recommends that the Alberta Policing Secretariat include a Standards and Audits function that is provided with the resources necessary to develop standards, and to monitor and conduct compliance audits to ensure police across the province uniformly provide excellence in policing standards.

Leadership to Police Commissions and Committees

While some respondents to the discussion paper called for provincial appointments to local police commissions, others were adamant that they should be completely local. While the committee agrees that a locally-appointed commission can best meet the needs of the community, the committee also believes that the province must provide leadership to local police commissions, as well as police. In fact, because most commission members have little, if any, policing background, there is an even greater need for provincial guidance and support.

Currently, the Public Security Division provides orientation and training for commission members; however, the committee believes this should be expanded and should be made mandatory for all commission and policing committee members.

22. The committee recommends that the Alberta Policing Secretariat provide mandatory training and orientation to all commission and committee members.

Police commissions and committees are appointed to represent the local community's priorities and needs. To ensure their effectiveness, standards should be established both for individual members and for the commission or committee as a whole. Just as for policing itself, these should be consistent across the province³.

23. The committee recommends that the Alberta Policing Secretariat, in consultation with the Council of Commission/Committee Chairs, develop consistent protocols and guiding principles to be used by police commissions and committees.

There should also be ongoing provincial oversight of the operation of local commissions and committees. This should not take the form of direct involvement in the local decision making process, but should consist of monitoring, guidance, and support, provided by the Standards and Audit branch.

³ See also to the discussion of commission makeup in the section on Public Oversight

Public Oversight

Public Oversight was another of the three themes identified through public submissions and the Police Strategic Vision project.

The major principles of public oversight can be summarized by the following:

- Police must be governed by transparent, objective public oversight, free of undue political influence.
- Well-defined roles and responsibilities undertaken by informed citizens are essential for effective public oversight.
- Local police oversight must be by locally appointed and suitably trained citizenry.
- Credible internal investigations by police are a prerequisite to public trust and confidence.

Local Public Oversight

Three issues arise in relation to providing effective local oversight:

- The structure of local police commissions and their relationship to the municipal council,
- The provision of local public oversight in communities contracting for police service, and
- The provision of local citizen involvement in areas that do not provide their own policing.

Local Police Commissions

Municipal policing in Alberta is structured to insulate police from undue political influence, balanced against the responsibility of the elected officials for overall local government. The police commission is the mechanism that provides this balance. The commission is appointed by the municipal council, and may include a limited number of

members of council. While the council, as the fiscal keepers of the municipality, sets the overall police budget, the commission allocates that budget.

It is important that the commission be independent from direct influence by the council, while maintaining open communication and cooperation with the council. A concern raised during our review is that the independence of commissions may be compromised by councils appointing commissioners for only one-year terms. This creates the danger that any commission member wishing to continue must to heed the wishes of council. A further problem is that such a short term does not provide enough time to learn and become effective in the job.

24. The committee recommends that the Police Act be amended to specify that appointments to police commissions will be for three years for a maximum of two terms. Commission appointments should be staggered so that no more than one third expire in a given year.

Another problem facing commissions in regards to their independence is that of having an adequate and separate budget for their own operation. Most police commissions in Alberta do not have their own budget - their expenses come out of the police services budget. Many commissions cannot afford more than the most basic staffing. In order to achieve its mandate, the commission must be able to exercise its governance authority in a manner that is not hampered by a lack of appropriate resources. Given the part-time nature of the position of commission members, coupled with the enormous responsibility of a municipal police commission, its overall effectiveness can be jeopardized by not having at its disposal the necessary tools and support to govern.

25. The committee recommends that legislation require the municipality to establish a separate budget for the police commission that provides for the effective operation of the commission.

Not all commissions include councilors as commission members. While enhancing independence, this creates problems of communication and cooperation. The present legislation allows one or two members of council to sit on the commission, but does not require it.

26. The committee recommends that the Police Act require that at least one council member be appointed to the police commission, with an option of a second council member where the commission has five or more members.

The role the council members play is vital and difficult. They are the link between the two bodies and their focus must be to ensuring effective communication. Their role should not be to represent one body or the other, but to establish common ground and cooperation.

The role of the commission is to effectively represent community needs, interests, and priorities. Especially in the larger municipalities, this can mean a wide diversity. It is

“(Commissions) need to be a part of the very populace they are supposed to serve so as a result they need to be truly representative and thus accountable. These commission members should come from every walk of life”
- Beaver Lake First Nation

important that commissions be structured to ensure all interests are represented. As much as possible, municipal councils, in appointing commissioners should strive to reflect the cultural, demographic and geographical nature of their municipality. The committee recognizes that,

with a finite number of commissioners, this is an ideal to be striven for rather than an absolute to be achieved.

27. The committee recommends that police commission and committee membership reflect the cultural, demographic, and geographic makeup of the community.

Contract Policing Committees

Most urban municipalities in Alberta provide their policing by means of a contract for RCMP services. Public oversight in these locations is subject to both the *Alberta Police*

Act and the Municipal Policing Agreement. The *Police Act* allows, but does not require, the council of the municipality to establish a policing committee to oversee the agreement and to represent the interests of the council to the officer in charge of the police service. The standard Municipal Policing Agreement provides the municipality with the power to determine the number of police officers (subject to a minimum) and to set objectives, priorities, and goals. While these powers and responsibilities are less than that of municipal police commissions (who, for example, are charged with establishing policies, managing the police budget, and supervising the performance of the chief of police), these responsibilities are vitally important to effective and responsive policing in these municipalities. The local committees can and should play a key role in providing public oversight for their local police.

Unfortunately, these committees are not as effective as they could be in fulfilling the role of local civilian oversight for two reasons:

- Not all municipalities have formed policing committees, preferring to leave the responsibility to the mayor or municipal manager, and
- The Municipal Policing Agreement does not specifically recognize a policing committee, specifying only the mayor or his designate.

Rural Alberta is policed by the RCMP Provincial Police Service. Along with having no financial responsibility, these areas have no formal mechanism to communicate priorities and expectations to the local detachment. To

address this, a number of RCMP detachment commanders have appointed citizen advisory committees. These informal committees are responsible only to the detachment commander

and have no connection with the municipal governments. The only input that rural municipal governments have into policing is through the Ministry of the Solicitor General.

"Not all policing has a commission. This is one of the problems. There is no body responsible for fighting with the local municipal councils for policing dollars"
-J. May-McDonald

28. The committee recommends that all municipalities be required to form a policing committee and that this committee meet the same standards and training as municipal police commissions, and as far as permitted by the Municipal Policing Agreement, perform the same functions as a municipal police commission.

29. The committee recommends that, when the standard Municipal Policing Agreement is renegotiated, policing review committees be recognized as the body overseeing the agreement and establishing goals and priorities, and other policing oversight matters as allowed under the agreement.

Public Complaint Handling

How public complaints about officer conduct or service policies are handled is a key to public confidence in the police service. Transparent and timely investigation into the complaint and response to the complainant are the key. Generally, the police in Alberta are handling this important role effectively, though there are some areas open to improvement.

The committee concurs with the view of the existing legislation that the local chief of police, as the chief executive officer, is responsible to investigate and deal with these complaints. However, it is very important that the public be confident that the chief of police is performing these duties properly and effectively. Therefore, the committee believes that there should be an independent body monitoring public complaints. Because the chief of police is accountable to the police commission for the performance of her/his duties, this is the most appropriate monitoring body. Both Edmonton and Calgary police commissions employ a citizen complaints monitor. The committee believes that all commissions should have such a position. Commissions for the smaller police services will not require a full-time paid monitor as do the larger commissions. These smaller commissions could use part-time staff, or even simply designate one of the commission members as the monitor. But, whatever the method, the monitor must be

independent of the police in both fact and appearance, must be accessible to the public, and must operate from the perspective of representing the community's interests. Further, the monitor must be familiar with complaint legislation, police disciplinary procedures, and the unique nature of policing.

The committee recognizes that, in communities policed by contract, there is less local authority over the handling of public complaints. Nevertheless, we believe that local monitoring is equally important. In the past, the RCMP has shown itself flexible and willing to work with the local community in setting policing priorities etc., and have been cooperative in providing information and data regarding complaint handling to the Director of Law Enforcement. There should be no barrier to the RCMP and Solicitor General developing protocols for complaint monitoring at the local level. The local committee could be especially involved in the informal resolution of complaints under the legislation governing the RCMP.

30. The committee recommends that each police commission and committee establish a "public complaints monitor" position to review the handling of complaints by the chief of police or detachment commander. Further, the committee recommends that the Alberta Policing Secretariat provide initial and ongoing training for these monitors.

In the process of hearing public appeals, the Law Enforcement Review Board has, at times, arrived at the opinion that certain police policies or practices are at fault or are inadequate. In the past, the Board has forwarded these concerns or recommendations to the chief of police. This has caused some resentment with the view that the Board is overstepping its appeal mandate, and is giving direction to the police. This is more properly the role of the Alberta Policing Secretariat. Forwarding such concerns to the Alberta Policing Secretariat, for that body to assess and issue appropriate direction, would alleviate this concern.

31. The committee recommends that, where the Law Enforcement Review Board, as a result of hearing an appeal, identifies a concern or makes a recommendation about policing policies, practices, or standards, the Board forward that to the Alberta Policing Secretariat for review and follow-up as appropriate.

Investigation of Serious Incidents

An issue that has come to the forefront recently is that of police investigating serious incidents, such as death or injury, where a police officer is involved. The concern centers on the issue of a police service investigating their own officers and the potential for a "cover up" or "white wash".

While the committee believes that it is most appropriate that the chief of police be responsible for the investigation of routine complaints, incidents of serious injury or death of civilians involving police officers require special treatment to ensure public confidence. There is no indication that the current police investigations into such incidents are lacking in either quality or integrity, but neither is there the transparency needed to ensure public confidence. An additional factor affecting public confidence is the timeliness of the investigation. The public must be assured that investigations are prompt, thorough, and transparent.

Several suggestions were put before the committee:

- Create an independent agency to conduct investigations such as Ontario's Special Investigations Unit.
- Create an independent agency to monitor the investigation, i.e. a Police Investigation Monitor (a provincially-appointed, experienced investigator who would monitor the police investigation in "real time").
- Call in another police agency to conduct the investigation.
- Require the local police service to submit the results of their investigation to another police service, or crown prosecutor for review.

The committee believes that the first two options are unnecessarily bureaucratic and expensive, especially in light of the relative paucity of incidents in Alberta. The last two options may not meet the need for public transparency in high profile cases.

The committee envisages a hybrid method that allows flexibility: the police service involved would immediately contact the Alberta Policing Secretariat, who would decide how the incident should be handled. The Secretariat could direct an outside agency to either do the investigation or to monitor it, or to have the results reviewed, depending on the circumstances and the public interest. The outside agency conducting or monitoring the investigation could be another police service, crown prosecutors, or a provincial government investigative agency. The work of the independent investigator or monitor would be overseen by a special investigation team comprising a judge, prosecutor, and police officer, appointed by the Secretariat. The team members must be independent of the agency under investigation and the agency conducting the investigation. Retirees would be an appropriate group to draw on.

The role of the Alberta Policing Secretariat is vital in ensuring timeliness and openness. The Chief Commissioner of policing would be the primary spokesman concerning the process and progress of the investigation. As investigations are the responsibility of the local authority, the committee sees the investigation costs as being borne by the local authority, regardless of what agency actually conducts the investigation. The Serious Incident Review team, acting on behalf of the public and the province, would be paid for by the province.

32. The committee recommends that all cases of serious injury or death to a civilian, involving police officers, be immediately forwarded to the Alberta Policing Secretariat for direction on how to proceed with the investigation. The Chief Commissioner of Policing may direct an outside policing agency to either conduct or monitor the investigation. A Serious Incident Review team made up of a retired judge, prosecutor, and retired police investigator, appointed by the Alberta Policing Secretariat, will monitor ongoing investigations or review them after completion, as directed.

Miscellaneous Issues

Provincial and Municipal Policing Agreement Negotiations

The RCMP provides contract service to the province and to over 60 municipalities through standard policing agreements that expire in 2012. The parties to the agreements can opt out with two years notification.

The RCMP provides a high quality, cost-effective service to the province and to the contracting municipalities. The economy of scale allows for cost efficiencies. It also works to the benefits of both the contracting provinces and to Canada in providing a large pool of police officers with a national infrastructure to draw on in emergencies or special situations such as the G8 Summit.

"...contracting with the RCMP provides the optimum policing service."
- F.M. Melnyk

This arrangement is, however, not without difficulties. The fact that the cost of policing is shared between the province and the federal government means that, if the province wants to add police officers, the federal government must also come up with their 30% share of the costs. This has, in the past, led to problems in achieving the complement of officers desired by the province.

"There is a definite lack of control by the Province of the R.C.M. Police."
-B. Byrnell

The other issue is that of local oversight. Policing committees are provided for in the *Police Act*, but have no official authority under the policing agreements. While the RCMP does work with these committees where they exist, a formal recognition in the agreement would be appropriate. Part of the responsibility for this concern also rests with those contracting municipalities that have not appointed policing committees; we believe this should be mandatory under the *Police Act*.

Currently, the province and most contracting municipalities pay 70% of the cost of an RCMP officer with the federal government paying the remaining 30% (urban municipalities of 15,000 or larger pay 90%). When the agreement is renegotiated for

2012, the federal government may look to increasing the provincial and municipal portion of costs as well as increasing the calculated base cost. Well before that time, the province should be prepared with alternatives.

"..the time is right for a total cost-benefit analysis under the current agreements.."
-R. Head

Those alternatives could include forming a provincial police service or having all of Alberta policed by a series of regional police services. In the latter concept, the province would be divided into regions, similar to Regional Health Authorities, that would each be responsible for its own policing.

33. The committee recommends that, in preparation for the negotiations for the provincial policing agreement in 2012, an external study of provincial policing be conducted to determine the efficiencies and levels of service of alternative methods of policing Alberta. These could include retaining the RCMP, forming a provincial police service, or regionalization of policing throughout the province, or combinations of these forms. This study should be led by an MLA committee and include public input.

Previous Recommendations for Amendments

Prior to the Minister appointing this Review Committee, the Public Security Division put forward recommendations for specific amendments to the *Police Act* and the *Police Service Regulation*. This followed consultation with a legislation review committee comprising representatives from police commissions, Alberta Association of Chiefs of Police, Alberta Federation of Police Associations, Law Enforcement Review Board, among others. Most of these proposed changes dealt with the handling of complaints and officer discipline. While most of the recommendations were consensual, some were not.

The committee has reviewed those recommendations and believes they could have a valuable impact on improving the handling of public complaints and streamlining police disciplinary procedures. The committee supports those recommended amendments,

found in the appendix to this report, with one reservation; that is in regards to the proposal to replace "rules of evidence" with "principles of natural justice." The committee is unsure as to what effect this may have on disciplinary hearings and appeals and suggests that legal counsel provide a review prior to this proposal being accepted.

First Nations/Aboriginal Policing

The committee recognizes that First Nations experience unique needs and challenges in regards to policing. There are a number of First Nations police services presently operating effectively; however, some have shut down operation in the last few years for a variety of reasons. The Ministry of the Solicitor General is developing a proposal for a province-wide First Nations police service. This approach appears to the committee to be an effective route to provide consistent high quality police service, meeting the unique needs and challenges of First Nations. If implemented, the service could be expanded to include other aboriginal communities such as Metis Settlements.

34. The committee recommends that the Ministry of the Solicitor General and First Nations develop a province wide or perhaps regional/treaty-based First Nations police service operating under a single police commission. An effective beginning would be to commence by amalgamating the current First Nations police services into one service under a single commission. This provincial First Nations Police service would be an integral part of Alberta policing, meeting the same standards and having the same authority and responsibilities as all other Alberta police services.

Role of Police Officer Associations

There have been recent situations where police officer associations became active in partisan politics, and have adopted confrontational negotiating tactics including on job actions, in Alberta and in other provinces. The committee regards these with concern.

Because of the special authority and powers police have been granted in our society, they must carefully guard their apparent, and real, neutrality in politics. The separation of

police associations from partisan politics is a keystone of our justice heritage, a major factor in the strength and stability of the democracy we enjoy.

The committee recognizes and fully supports the rights of individual police officers to become actively involved in politics, but only as individuals, not as representatives of police associations. Further, the committee recognizes the valuable role that police officer associations can play in the governing process, bringing police concerns, suggestions, and proposals to the table, as for example in taking part in legislation review. However, becoming tied, in appearance or fact, to a single political party or candidate is dangerous for democracy and can only serve to hurt public confidence in the police.

Furthermore, effective policing depends on the respect, trust and confidence of the public. Actions on the job that may imply that police are acting in their own self-interest instead of the interests of justice and of the public can seriously impair the effectiveness of police. While police officer associations are important in ensuring that officers are fairly paid and have a positive work environment, they must not intrude into the realm of directing policing activities; that is the responsibility of the police commission and chief of police. Associations should not promote any actions that could interfere with the delivery of policing services as directed by the police commission and chief of police.

The committee believes that this is an area where the professionalism of Alberta police officers and their common sense should prevail. The police officer associations should be encouraged and supported in monitoring their own activities to ensure absolute neutrality, and to avoid actions that may be detrimental to public respect of the police or to the management of policing by the chief of police and the publicly responsible commission.

35. The committee recommends that police officer associations in Alberta closely monitor their political involvement to ensure that there is no appearance of partisan political activity that would compromise public confidence of absolute political

neutrality in their police. They must also monitor their negotiating tactics to ensure they do not interfere in public oversight and management of the police or to bring policing into disrepute. The committee also recommends that the Solicitor General consider legislation-controlling activity by police officer associations only as a last resort.

SUMMARY and CONCLUSION

Public submissions, the Police Strategic Vision project, and consultations with experts, all confirm that policing in Alberta is of a very high quality. There are a number of changes to policing practices and policies that are necessary to ensure police maintain this high standard in our changing environment and to meet changing public expectations. While policing itself requires only some quantitative changes, the provision and oversight of policing require some major, qualitative changes.

Presently, there is a serious inequity in policing in Alberta in terms of the cost of policing and service levels. Finances and service levels of course go hand in hand. We have made recommendations that all municipalities should pay for policing and that a fund be established to assist those having difficulty meeting their policing needs. In addition to financial measures, we have made a number of recommendations aimed at increasing service levels through the use of technology, the creation of a supplemental level of policing, and the creation of a "Centre of Policing Excellence."

Public oversight of policing is the other area requiring major changes. We have made recommendations aimed at increasing police accountability and transparency, strengthening the role of public oversight bodies, and enhancing the role of the province in providing leadership.

We would like to thank those who provided submissions and assisted us in coming to an understanding of the challenges and opportunities facing policing in Alberta.

We also wish to express our admiration and confidence in those who selflessly work to ensure the safety and security of all Albertans. Since 1876, 70 law enforcement officers have fallen in the line of duty in our province. Albertans are thankful for the safe communities that police and peace officers daily strive to provide to us, providing an environment to raise our families and conduct our affairs in the knowledge that justice prevails.

APPENDICES

1. Summary of Public Responses to Discussion Paper
2. Strategic Vision for Policing - Summary
3. Alberta Policing Secretariat Organization Chart
4. Previous Proposals for Legislation Amendments

Appendix 1

Main Themes from Submissions to the Review Committee

Note: *There were a number of submissions that indicated that they supported another agency's submission or that copied a submission drafted centrally. Therefore, the number of summaries below is less than the total number of submissions. The following is a summary of main themes of each submission and does not contain much of the valuable detail and proposed specific amendments included in many submissions.*

- Form a single police service for the province. Limit special constables. Legislation is generally clear.
- First Nations policing is federal responsibility. Review aboriginal and treaty relationships with RCMP. More direction of police by commissions. Police more accountable to the people.
- First Nations Police should have option to police highways. Update section 5 of Act to remove need for "special constable" delegations for First Nations Police officers. Establish provincial "salary scale".
- Private investigation industry provides economical and professional alternatives, especially in relation to property crime.
- Expand role and powers of special constables. Tiered system of special constables. Province to set standards, training, and protocols.
- No provincial commission. Special constables to enforce provincial statutes.
- Use special constables for investigations and to supplement police on routine provincial statute enforcement.
- Search and rescue be consolidated under one provincial ministry with police involvement clearly defined and use of trained S&R resources as certified by SARA.
- Corporate use of contract security for protection and investigations. Many non-enforcement police duties could be contracted. Special constable appointments for certain security personnel.
- Private security can provide less costly alternative in certain areas of law enforcement, crime deterrence and prevention. Create a "security authority" similar to "health authority".
- Change legislation to allow police to use current technology. Specifically allow "red light"

cameras to be used for speeding.

- Police must be neutral and independent. Independent agency to investigate complaints about police.
- Province to set standards and monitor police. Traffic enforcement should be high police priority. Province and municipalities should provide more funding for police. Use technology (photo enforcement) to supplement, not replace traffic police. Photo enforcement funds should not go to police.
- Four or five regional police services for the province. Form a Provincial Ministry of Police. Appoint provincial advisor to each commission. Fine revenues go into policing grants.
- Urban/rural inequity - rural areas should pay per capita. Don't use special constables for traffic. Province set standards and audit. Current division of responsibilities is okay.
- More funding for First Nations Police. Province should have a voting role on local police commissions.
- Single police service for all municipalities under 25,000. Police should be responsible only to judiciary. Increase civilianisation. Judicial system is biggest consumer of police resources. Special constables should be embedded in the police service.
- Improve complaint process. Clarify commission roles and powers. Freedom from political influence. Provincial funding (perhaps from pooled fines). Special constables used only where minimal exercise of judgement is required.
- All Albertans should pay for policing. Provincial role: monitor, train, standardize, infrastructure. Provincial members on commissions. LERB powers too broad. Danger of fragmentation with overuse of special constables.
- Director of Law Enforcement role pivotal. Provincial standards vital. Expand mandate and powers of LERB. Put a "Declaration of Principles" in the Act.
- Urban/rural inequity, all property owners should pay. Independence from political influence important. Province set standards and monitor. Community/police partnerships for "non-enforcement" demands.
- Retain *status quo*. Province to set standards. Independent funding needed for prevention and education programs. Funding for complex/high profile investigations in small centres. Eliminate preliminary hearings (not needed with disclosure) to free officer time.
- Province should provide more training and support to commissions. Mandatory training for commission members. Encourage regional policing. Per capita grants for policing. Clarify

roles of commission and council in Act.

- Province (Director of Law Enforcement) should provide training and assist police commissions. *Police Act* should have statement of principles. Complaint handling and discipline should focus on problem solving. Clarify commission/council/chief roles. Honorarium for commission members.
- Province should develop three-five year strategic policing plan in consultation with police that should be monitored by Director of Law Enforcement. Increase role and resources of DLE, especially training and advice to commissions. Less adversarial complaint/discipline process. Province should monitor police association activities and review *Police Officers Collective Bargaining Act*. Special constables used with caution (and not armed.)
- Satisfied with RCMP.
- Diversity of enforcement important.
- Support equitable sharing of policing costs. Use equalized assessment rather than live assessment in assessing municipal tax base.
- Non-enforcement services are very important.
- Law enforcement awareness of laws concerning historical burial sites needed. Can special constables be used for *Protection of Persons in Care Act*?
- Support voluntary regional cooperation.
- Consultation as a follow up to report. Review should not interfere with current initiatives. Specialized law enforcement rest with those government departments providing them.
- Legislating duty to assist victims not necessary. Increase police accountability to family violence initiatives.
- Police require enhanced training in non-traffic provincial statutes.
- Emphasize multi-jurisdictional/global investigations and prosecutions. Pool information and techniques (police, industry).
- Special constable appointments should be specific to their duties and responsibilities. Their training must be commensurate with their powers.

- Use non-police staff to investigate fraud and commercial crime.
- Continue to consult directly with aboriginal agencies.
- Clearly designate Director of Law Enforcement's responsibility to set provincial standards. Legislate standards for qualifications of security guards.
- Form a provincial police service.
- Increase police accountability and civilian control of police.
- Use special constables as traffic police.
- Eliminate photo radar. Police spend too much time in court.
- Form provincial police. Allow chief of police to cull frivolous complaints. Problem of political influence on special constables. Expand special constable traffic enforcement.
- Form provincial police. Increase police powers.
- Change little. Control private security.
- Central provincial control of police. Control photo radar. Control police court time.
- Non-political oversight. More control of RCMP. Two levels only: police and by-law enforcement. Restrict role of private security.
- Emphasize drug enforcement, not traffic. Keep municipal politicians out of policing.
- Expand volunteers as auxiliaries. Expand and arm special constables.
- Use mediation for police complaints. Use special constables for traffic.
- Keep RCMP. Eliminate photo radar. Don't let municipality keep fines.
- No role for private security in policing. Special constables to free police from traffic enforcement. RCMP staffing levels inadequate.
- Form provincial police. Elect commission.
- Emphasize prevention.
- Do not permit political activism by police. Avoid fragmented policing (multi police services). Ensure adequate resources. Be cautious about involving private security.

- Form Provincial Police with elected commission. Emphasize traffic safety. No special constables.
- Form Provincial Police. Special constables to enforce impaired driving, execute warrants, and carry sidearms.
- Form Provincial Police. Province to set standards. First Nations policing is in disarray. Eliminate special constables. *Private Investigators and Security Guards Act* is "disgraceful".
- Replace RCMP. RCMP complaint handling doesn't work.
- Regionalize suburbs. Armed special constables to enforce *Criminal Code*. Use more civilians.
- Replace RCMP in 2012 with a regionalized provincial police.
- Consider an all-jurisdiction provincial police. Independent certification (audits) of police. Political independence vital. Traffic enforcement requires high skill levels. Provincially consistent enforcement.
- Form provincial police. Arm all peace officers.
- Provincial Police too expensive. Province has failed to maintain adequate staffing levels of RCMP.
- RCMP are not open with public. RCMP too close to municipal officials - need an independent body.
- Police don't act in public interest. Too much traffic enforcement, not enough property protection.
- Keep RCMP. More provincial funding for non-enforcement activities. Need commission or lobby group in rural areas.
- Police need to improve public relations. Spend less time on traffic enforcement and more time on night patrols.
- Form provincial police that is not headquartered in Edmonton.
- Independent agency to investigate complaints about police. Form provincial police.
- Don't use private security; use special constables.

- Need provision to allow third party complaints. Time frames for police investigation of complaints are too long.
- No police unions. Concern about nepotism in hiring.
- Province set standards. Enhance special constables.
- Police security clearances inaccurate. Legislate training standards. Use auxiliary police.
- Police performing well. Avoid over controlling them. Small police services show loyalty. Need more deterrent patrols
- Rural staffing inadequate. Separate police from politics. Use special constables for traffic enforcement.
- Independent civilian investigation of complaints: separate provincial and local investigation boards.
- More local control. Replace RCMP. Arm special constables.
- Too much policing. Too many laws.
- Retain *status quo*. Separate police from politics. Restrict use of special constables.
- Regionalize to eliminate urban/rural inequity. RCMP staffing levels (vacant positions) are a concern.
- Policing too expensive for small municipalities. Independent agency to investigate police. Use special constables to free up police.
- Province should set standards and pay for policing with municipal control.
- Province set standards and monitor and inspect police and commissions. There should be a provincial representative on local commissions. Province to provide information and advice to police commissions and chiefs. More formal involvement of Director of Law Enforcement in policing matters. Do not arm special constables.
- Proceeds of crime to police and municipality. Establish a provincial police commission. Complaints should be investigated by commission. Retain RCMP. Pay auxiliary constables. More funds to CrimeStoppers.
- Single police service for the province with close political supervision.
- Police are rife with corruption, immorality and nepotism. Establish drug and alcohol testing

for all officers. Increase use of mechanical devices like photo radar and tamper proof traffic tickets.

- Peace bonds and restraining orders are ineffective.
- Establish rules for provincial court judges.
- Province should continue to provide rural policing and increase rural police resources.
- Province should continue to provide rural policing. Raise population threshold to 5000. Expand use of special constables.
- Minimize role of special constables.
- Maintain *status quo*. Increase rural service.
- Combine all law enforcement into one provincial police service.
- Province should provide minimum service to all areas with each municipality having the option to upgrade.
- Keep RCMP. Province to continue providing policing of rural Alberta.
- Maintain *status quo*. Municipality should control special constable roles and equipment.
- Sliding scale of payment for policing based on population. Province should continue to police rural areas.
- Province should set standards and conduct audits. RCMP staffing - no secondments or other local reductions. Standardize special constable training. Arm special constables if they are enforcing *Criminal Code*.
- Maintain 2500 population threshold.
- Special constables are cost effective. Should have authority expanded and be armed.
- Province should pay for all policing.
- Maintain *status quo*. Municipality should be allowed to arm special constables.
- Province should provide all policing. Levels are inadequate in Metis settlements. Regional or single police service worth considering.
- Province should continue to be responsible for policing rural Alberta. Provincial grants to municipal police (per capita). Increase use of non-sworn officers for non-enforcement duties.

- Existing legislation and contract work well. Funding is inequitable. Province should provide basic policing for all with municipal option to enhance.
- Urban/rural inequity: establish per capita charge for areas policed by the province.
- Maintain *status quo*. Reduce non-enforcement demands on police. Special constables should have authority to enforce all provincial statutes and include primary highways. Special constables should be under direction of municipal council, not police.
- Maintain *status quo*. Replace auxiliaries with trained constables.
- Maintain *status quo*. Minimize provincial involvement, and maximize local input. Establish tiered policing. Promote problem oriented policing.
- Maintain *status quo*. Do not arm special constables.
- Rural policing levels inadequate. Encourage regional policing. Expand powers of special constables.
- Establish a maximum of 10% of tax base for policing. Establish provincial standards.
- Each municipality should police all roads in its area.
- More provincial funding. Province should continue to police rural areas.
- Policing costs are too high. Urban/rural inequity. Increase use of special constables.
- Urban/rural inequity.
- Policing costs too high. Urban/rural inequity.
- Promote "Safe Community Model". Urban/rural inequity. Province to set standards. Use civilians for non-enforcement tasks.
- Urban/rural inequity. RCMP transfers and vacancies create problems.
- Urban/rural inequity. Expand special constables. Increase use of volunteers. Promote regional policing. RCMP staffing levels inadequate.
- Urban/rural inequity. Municipalities should be responsible for policing (minimize provincial role except for major crimes). RCMP vacancies are a concern.
- Urban/rural inequity - rural areas should pay for policing on a per capita basis. Increased use of special constables may degrade quality of law enforcement. Municipalities over 25,000 population should be required to form their own police service. Otherwise, maintain *status quo*.

- Urban/rural inequity - rural areas should pay for policing on a per capita basis. Province sets standards, otherwise more local control of police.
- Mainly *status quo*. All municipalities should pay on sliding scale based on population.
- Use special constables for traffic enforcement. Municipalities over 10,000 should form their own police.
- Urban/rural inequity. "User pay" for non-enforcement activities. Province set standards and audit. Return powers of local Justices of the Peace in regards to warrants, etc.
- Urban/rural inequity: all municipalities should pay. Province to set standards. Special constables should not use firearms.
- Urban/rural inequity: either all municipalities or none pay. Keep RCMP but improve accountability. RCMP must meet staffing levels of contract.
- Urban/rural inequity. Lack of local input into RCMP complaint and discipline process.
- Province should provide all municipalities with "adequate and effective" policing and allow municipality to pay for "enhanced" policing.
- Maintain *status quo* (including provincial policing of rural Alberta).
- All government departments must consider policing cost implications in their planning. Set up formal training for contract municipalities. Special constables can be a drain on police resources when requesting support. Province should supply insurance, training, expenses, and equipment for all volunteers.
- Urban/rural inequity. Emphasize long-term prevention. Develop national standards. Do not privatize policing.
- Maintain *status quo*.
- Urban/rural inequity. Harsher sentencing.
- Raise population threshold to 5000. Fine revenue should go to the municipality.
- Urban/rural inequity. Clear definition needed for duties of non-police officers. Provincial training and support for commissions is needed. No provincial appointments to local commissions.
- Urban/rural inequity: rural municipalities should pay on a per capita assessment. RCMP

staffing/vacancies are a concern. Reinstate the Municipal Police Assistance Grant. Province to assist municipalities in paying for major crime investigations. Special constables as a supplement to police.

- RCMP should provide high quality service; current contract works well. Province should set standards and audit. Local input into priorities is important for all communities (regardless of payment for policing). Increase use of civilians and auxiliaries.
- Urban/rural inequity. Population threshold should be 5000.
- All municipalities should provide their own policing; otherwise, *status quo*.
- Restore provincial funding. Provide an "interpretative" companion document to *Police Act*. Include preamble of principles in the Act. Focus on partnerships and collaboration.
- Urban/rural inequity; otherwise maintain the *status quo*.
- Restore provincial policing grants. Province should take the lead in sharing policing resources. Importance of local municipal involvement in setting police priorities, objectives and budgets.
- Generally, maintain *status quo*. Rural municipalities should pay. Role of the province is to provide a legislative framework. Allow special constables to enforce impaired driving.
- Urban/rural inequity: all municipalities should pay through municipal taxes with provincial grants based on municipality's ability to pay and crime rate. Problem of RCMP staffing shortages. Police should focus on crime and the municipality should provide resources for other matters. More community involvement by local officers. First Nations Police are inefficient. Special constables should enforce moving violations on primary highways in urban centres.
- No provincial appointees to commission. Encourage regional policing. Province fund "base level" policing plus extra funding for large cities.
- Urban/rural inequity - charge rural municipalities on per capita basis. Threshold to provide own policing should be based on ability to pay and include a phase in period. No provincial commission. Director of Law Enforcement should set standards and provide advice and support. Municipality should choose whether local commission is needed. Costs rising. RCMP contracts working. A shelter would reduce costs by decreasing incarceration.

Appendix 2

Policing in Alberta - Strategic Vision Workshop, July 11, 12, & 13, 2001 Plenary Summary

Focus Question 1:

What is your Vision of “Leadership in Policing” for Alberta in the next 10 years?

- **Fair, sustained provincial commitment of resources.**
 - Resource commitment.
 - Funding to be allocated by province utilizing a formula to ensure funds are distributed in an equitable manner.
- **Core operational and administrative standards are developed, monitored, and enforced.**
 - Establishing and monitoring standards.
 - Core operational and administrative standards are developed, monitored and enforced.
- **Clear roles and responsibilities, accountability and public involvement are reflected in all police governance matters.**
 - Ensure that there are accountability procedures and public involvement in all police governance matters.
 - Officers must know their authorities.
 - Jurisdiction clarification – Federal police (RCMP), Provincial (RCMP), Municipal (could be RCMP), Aboriginal (could be RCMP), Security Industry.
 - The province should facilitate the setting of policing priorities recognizing each community’s policing needs are unique.
- **All stakeholders have a shared responsibility for meaningful communication and planning.**
 - Relationship development – understanding between user groups and service providers.
 - Province is accountable and ensures that all stakeholders are informed and able to influence the development and implementation of an effective police service.
 - Meaningful dialogue.
 - Policing drives legislation – legislation should not drive policing.
 - The province should facilitate the setting of policing priorities recognizing each community’s policing needs are unique.
- **Clear, results orientated direction.**
 - Clear direction; results orientated.
 - Efficiency enhanced through simplicity.
- **Ethical Leadership.**
 - Ethical Leadership.

VISION STATEMENT/S:

Informed leaders provide efficient and effective service.

The province facilitates policing services that are understood and supported by all stakeholders.

Building collaborative relationships between all stakeholders to ensure a mutual understanding of the roles and responsibilities for the effective delivery of policing services in Alberta.

Leadership in policing in Alberta is a commitment to ethical behavior, professional standards, effective dialogue and clear results oriented direction. This requires adequate resources and consistent monitoring.

Our vision for leadership reflects clearly established roles, power, and accountability in police governance including setting policing priorities and recognizing community needs. Jurisdictions and levels of policing are clarified. Core operational and administrative standards are developed, monitored and enforced. There exists an equitable funding formula.

Focus Question 2:

What is your Vision of “Equitable Policing” for Alberta in the next 10 years?

- **Fairness in funding allocation.**
 - Sufficient resources to ensure effective police service delivery based on fair distribution.
 - Fairness in funding allocation.
- **Ensure standards are adhered to for all levels of policing.**
 - Application of consistent province wide standards.
 - Ensure standards are adhered to for all levels of policing.
 - Maintain adequate, qualified staff resources.
- **Efficient and effective service delivery.**
 - Consistency and standardization in service delivery.
 - Seamless services.
 - Streamline court processes and ensure adequate prosecutorial resources.
- **Community focused policing with inter-agency collaboration recognizing local diversity.**
 - Community based and community involved policing.
 - Community focused policing (recognizing local diversity) with inter-agency collaboration.
 - Recognize and support local diversity and conditions.
 - Integration and collaboration between all government and local agencies to address community issues.
- **Flexibility to enhance broad resources.**
 - Flexibility of resources.
 - Human resource alternatives.
- **A facilitating partnership respecting local autonomy and recognizing agency uniqueness.**
 - Respect local autonomy (over-arching principle for all).
 - Policing with some bureaucratic control – A facilitating partnership where the government provides funding and input into policing while recognizing each agency’s uniqueness.

VISION STATEMENTS:

The province is committed to assist municipalities, commissions and police agencies meet common objectives and policing standards to maintain and enhance public safety within the Province of Alberta.

Managing diversity with integrity in the delivery of police services to all Albertans (rural or urban).

Equitable policing is a fair and just system of policing providing consistent and standardized funding, training and service delivery. A fair funding system meeting the needs and expectations of the communities it serves must be established.

Our vision of equitable policing is an active community based police service appropriately funded to respond to each agency's uniqueness, supported by streamlined court processes and adequate prosecutorial resources

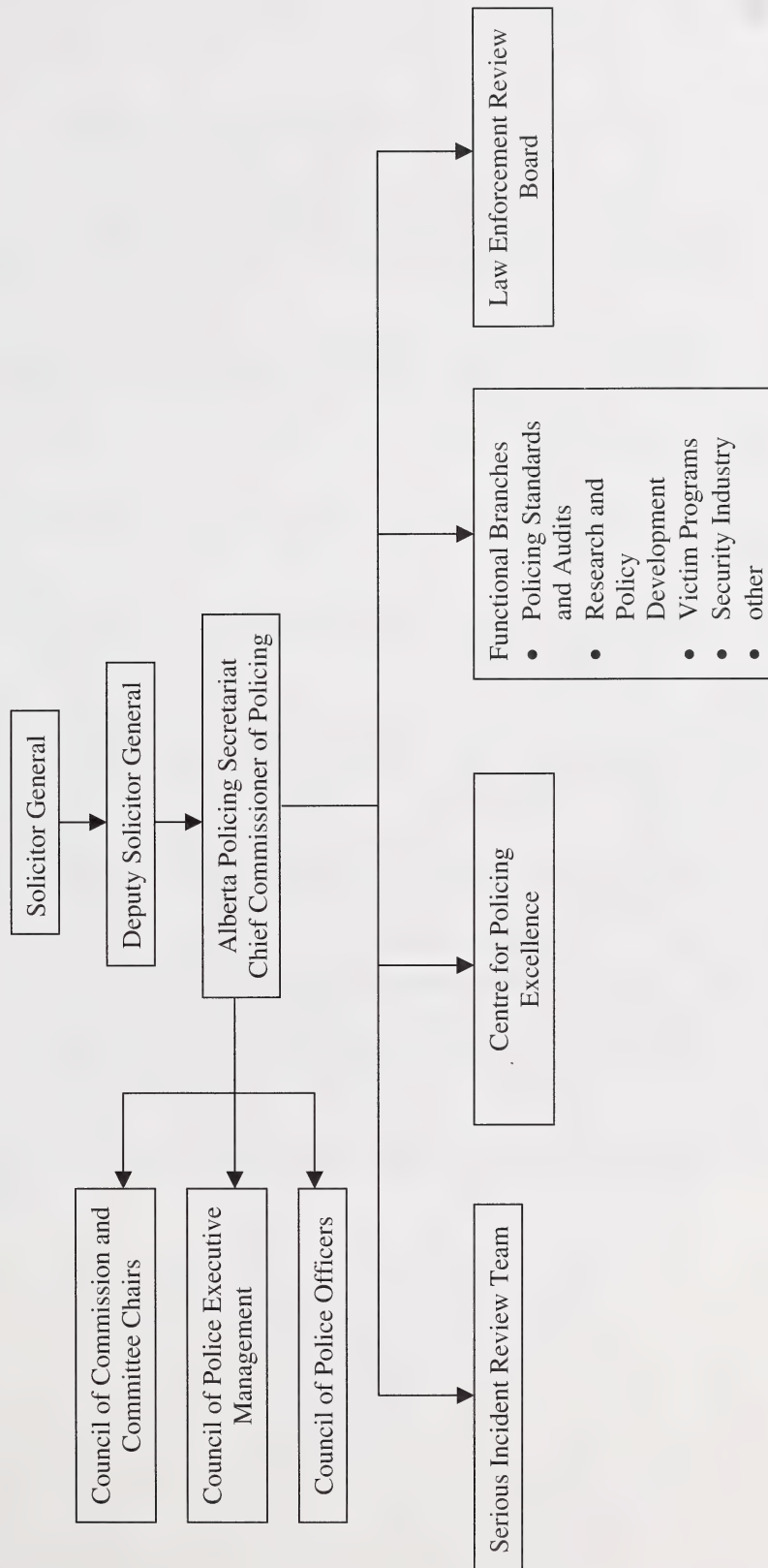
Focus Question 3:

What is your Vision of “Citizen Oversight” for Alberta in the next 10 years?

- **Transparent, objective oversight, free of undue political influence.**
 - Oversight independent of political interference (operational).
 - Citizen oversight protects against undue political influence.
 - Transparent, open review process that is apolitical and provides a mechanism for appeal, while meeting the needs of the community.
- **Well defined roles and responsibilities undertaken by informed citizens.**
 - Well defined roles, responsibilities and terms.
 - Oversight committee to be locally appointed, suitably trained/oriented for a specific term under clearly defined roles and responsibilities.
 - Informed and qualified oversight.
 - Role of citizen oversight is to ensure public support for policing by receiving public input, translating it into community policies and priorities for police, then to hold police accountable for results.
 - Achieving citizen oversight within the limitations of the law.
- **Credible internal investigation by police.**
 - Complaint investigation responsibility of police.
 - Standardized internal review processes.
 - Police promoting public awareness.
- **Public trust is achieved by a transparent and accountable citizen oversight process.**
 - Community participation and transparent accountable police service.
 - Independent, objective and accountable.
- **Consistent, formal, transparent, apolitical citizen oversight process.**
 - Consistency at all levels.
 - Formal mechanism for citizen oversight.
 - Citizen oversight role includes complaint monitoring.
 - Transparent, open review process that is apolitical and provides a mechanism for appeal, while meeting the needs of the community.

Appendix 3

Draft Organization for Alberta Policing Secretariat



Appendix 4

Amendments to the *Police Act* Proposed by the Public Security Division

As a result of consultation with a stakeholder Legislation Review Committee

1. Delete provision that applies *rules of evidence* to disciplinary hearings and appeals to the Law Enforcement Review Board. The *principles of natural justice* should be applied.
2. Require that appointments to police commissions be staggered so that appointments expire at different times.
3. Specify that police officers have the authority, to enforce all duly enacted laws made in the province.
4. Provide that the chief of police (or commission) may choose to not investigate a complaint that is filed more than 12 months after the incident. This should be subject to appeal to the Law Enforcement Review Board.
5. Allow the chief of police to cull frivolous and vexatious complaints, subject to appeal to the Law Enforcement Review Board. The Board should be able to deal with the appeal based on the record, if it so chooses.
6. Designate mediation and informal resolution as methods of complaint resolution. All parties (complainant, police officer, chief of police) must agree to the process and outcome, otherwise formal proceedings are invoked.
7. Add [explanatory statements made by a police officer] to section 51, so that such statements cannot be used in civil proceedings or proceedings under other acts. (*Note: this is connected to the proposed amendment to the Regulation that would require police officers to provide explanatory statements during an investigation into a public complaint.*)
8. Allow the Minister to request the assistance of a police service from another province to investigate complaints concerning a chief of police.

Amendments to the *Police Service Regulation*
Proposed by the Public Security Division

As a result of consultation with a stakeholder Legislation Review Committee

1. Reword section 4(4) of the *Police Service Regulation* so that the chief of police notifies a probationary officer of the ***intention*** to recommend terminating probationary employment or rank. (*Note: this is a wording correction.*)
2. Allow the chief of police to extend probationary periods for a maximum of 6 additional months, in cases where an assessment of the police officers performance has not been possible due to maternity leave or general illness of the police officer.
3. In 8(11) and 8(13), change "30 days" to "1 month", and clarify 8(13) that the status must be reported to the commission within 1 month from the confirmation or last report to the commission. (*Note: this is to accommodate situations where commissions meet monthly rather than every 30 days.*)
4. Increase the time allowed for investigation of a complaint to 4 months from 3 months.
5. Repeal Sections 10(3)(b), 10(4)(b), and 10(5). Replace section 10(5) with the following: "10(5) where a police officer provides an explanatory report pursuant to subsections (3) or (4) that explanatory report shall be deemed an involuntary statement and shall not be used or received in any civil proceeding or proceedings under any other Act except in a prosecution for or proceedings in respect of perjury or the giving of contradictory evidence." (*Note: this would require police officers to provide an explanatory report when subject to an investigation regarding a public complaint.*)
6. Amend section 12 to allow the addition of evidence or a witness that was available but not disclosed, subject to the police officer having the right to an adjournment.
7. Specify that, where a complaint is dismissed under subsection 19(1), the chief of police may also take action under section 6. (*Note: this would allow the chief of police to "counsel" an officer for minor disciplinary infractions, without a disciplinary hearing being held.*)
8. Clarify that a police commissioner or commission complaint monitor may attend *closed* disciplinary hearings.

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